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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,653	11/30/2000	Fabrice Banctel	Q61879	5626

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EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Office Action Summary	Application No.	Applicant(s)
		09/701,653	BANCTEL ET AL.
		Examiner	Art Unit
		Haresh Patel	2154

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 June 2005</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 November 2000</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-9 are presented for examination.

Response to Arguments

2.   Applicant's arguments filed 6/29/2005, have been fully considered but they are not

persuasive. Therefore, rejection of claims 1-9 is maintained.

Applicant argues (1), "the cited reference, i.e., Menzies et al., 6,317,748, Microsoft

(Hereinafter Menzies-Microsoft) does not disclose or suggest the claimed central directory as set

forth in claim 1. The examiner respectfully disagrees in response to applicant's arguments.

Besides, teachings of what program modules can be stored on, what a user may use to enter

commands, and what type of device can be used to display information., col., 4, lines 51-64,

Menzies-Microsoft also discloses the claimed central directory (e.g., at several places, col., 3,

lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of repository of figure 3,

usage of registry and/or directory and/or repository of figure 4, col., 6, lines 31 – 34, col., 7, lines

54 – 59, col., 10, lines 27 - 30). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the

claims define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970). Since, applicant's claims

contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the

claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (2), "cited reference, i.e., Menzies-Microsoft does not disclose or

suggest claimed father object, son object, same process and assigning to a father object in a

process, for each of one son object, information corresponding to a physical address if said one

son object is contained in a same process. The examiner respectfully disagrees in response to

applicant's arguments. Besides, teachings of how a particular tree is traversed, col., 15, lines 36-

54, Menzies-Microsoft also discloses the claimed father object (e.g., col., 15, lines 36 – 54), son

object (e.g. col., 16, lines 4 – 36), same process (e.g., col., 15, lines 36 – 54) and assigning to a

father object (e.g., col., 15, lines 36 – 54) in a process (e.g., e.g., col., 15, lines 36 – 54), for each

of one son object, information (e.g., col., 13, lines 48 – 64) corresponding to a physical address

(e.g., col., 14, lines 33 – 54) if said one son object is contained in a same process (e.g., col., 15,

lines 36 – 54). Although the claims are interpreted in light of the specification, limitations from

the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the claims define.

See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970). Since, applicant's claims contain broadly

claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject

matter. Therefore, the rejection is maintained.

Applicant argues (3), "the cited reference, i.e., Menzies-Microsoft does not disclose or

suggest a central directory receiving a request directory, nor a central directory searching its data

structure directory for the logical name received in order to send the request directly to a first

object and a father object which receives the request sends the request to the first object if returns

a message to the central directory. The examiner respectfully disagrees in response to applicant's

arguments. Besides, teachings of the addressing of objects within an object path, col., 10, lines

14-58, Menzies-Microsoft also discloses a central directory receiving a request (e.g., at several

places, col., 3, lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of repository

of figure 3, usage of registry and/or directory and/or repository of figure 4, col., 6, lines 31 – 34,

col., 7, lines 54 – 59, col., 10, lines 27 - 30), a central directory searching its data structure (e.g.,

at several places, col., 3, lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of

repository of figure 3, usage of registry and/or directory and/or repository of figure 4, col., 6,

lines 31 – 34, col., 7, lines 54 – 59, col., 10, lines 27 - 30) for the logical name received (e.g.,

col., 10, lines 38 – 67) in order to send the request directly to a first object (e.g., col., 15, lines 8

– 29, col., 10, lines 38 – 67), and a father object which receives the request sends the request to

the first object if returns a message to the central directory (e.g., figure 8, col., 17, lines 4 – 35).

Although the claims are interpreted in light of the specification, limitations from the specification

are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.

1993). The First inquiry must be into exactly what the claims define. See *In re Wilder*, 166

USPQ 545, 548 (CCPA 1970). Since, applicant's claims contain broadly claimed subject matter,

it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the

rejection is maintained.

Applicant argues (4), "the cited reference Skog et al., Ericsson, 6,385,650 (Hereinafter

Skog-Ericsson) fails to teach or suggest identifying a central directory and managing redundancy

of processes by selecting one of the processes relating to a requested object". The examiner

respectfully disagrees in response to applicant's arguments. The limitations, "identifying a

central directory and managing redundancy of processes by selecting one of the processes

relating to a requested object", are rejected by <u>combined teachings of</u> Menzies-Microsoft and

Skog et al., Ericsson, 6,385,650 (Hereinafter Skog-Ericsson). In response to applicant's

arguments against the references <u>individually</u>, one cannot show nonobviousness by attacking

references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Menzies-Microsoft discloses identifying a central directory (e.g., at several places, col., 3, lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of repository of figure 3, usage of registry and/or directory and/or repository of figure 4, col., 6, lines 31 – 34, col., 7, lines 54 – 59, col., 10, lines 27 - 30). Skog-Ericsson teaches the well-known concept of managing redundancy of processes by selecting one of the processes relating to a requested object (e.g., figure 6, col., 3, line 40 – col., 4, line 23). Hence, the combined teachings of the cited arts disclose the claimed limitations, "identifying a central directory and managing redundancy of processes by selecting one of the processes relating to a requested object". Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the claims define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970). Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (5), "the cited reference Collins et al., 6,687,761, Invensys Systems (Hereinafter Collins-Invensys) fails to teach or suggest if a father object of a process receives a request relating to a son object directly, it returns that request to the directory if the son object is not contained in its process". The examiner respectfully disagrees in response to applicant's arguments. Menzies-Microsoft discloses identifying a central directory (e.g., at several places, col., 3, lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of repository of

figure 3, usage of registry and/or directory and/or repository of figure 4, col., 6, lines 31 – 34,

col., 7, lines 54 – 59, col., 10, lines 27 - 30). Collins-Invensys teaches the well-known concept

of if a father object of a process receives a request relating to a son object directly, it returns that

request to the directory if the son object is not contained in its process (e.g., col., 9, lines 18 – 38,

col., 17, line 52 – col., 18, line 15, figures 1 and 2). Hence, the combined teachings of the cited

arts disclose the claimed limitations, "a central directory and if a father object of a process

receives a request relating to a son object directly, it returns that request to the directory if the

son object is not contained in its process". Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van*

Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly

what the claims define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970). Since, applicant's

claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation

of the claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (6), "there is no motivation to combine the teachings of cited

references, i.e., Menzies-Microsoft and Collins-Invensys". The examiner respectfully disagrees

in response to applicant's arguments. In response to the references containing a suggestion, or

motivation to modify or to combine with each other, it is well established that a conclusion of

obviousness may be made based on a combination of references based on a reason, suggestion or

motivation to lead an inventor to combine those references. *In re Pro-Mold and Tool Co. v.*

Great Lakes Plastic Inc., 37 USPQ2d 1626, 1629 (Fed. Cir. 1996). Also, the test for

obviousness is not whether the features of a secondary reference may be bodily incorporated into

the structure of a primary reference. It is also not that the claimed invention must be expressly

suggested in any one or all of the references. Rather, the test is what the combined teachings of

the references would have suggested to those of ordinally skill in the art. *In re Keller*, 642 F.2d

414, 425, 208 USPQ 871, 881 (CCPA 1981); *In re Young*, 927 F.2d 588, 591, 18 USPQ2d 1089,

1091 (Fed. Cir. 1991). Menzies-Microsoft discloses identifying a central directory (e.g., at

several places, col., 3, lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of

repository of figure 3, usage of registry and/or directory and/or repository of figure 4, col., 6,

lines 31 – 34, col., 7, lines 54 – 59, col., 10, lines 27 - 30). Collins-Invensys teaches the well-

known concept of if the father object of a the process receives a request relating to the son object

directly, said father object returns that request to the directory (e.g., col., 9, lines 18 – 38, col.,

17, line 52 – col., 18, line 15, figures 1 and 2). The father object would return the request, which

it does not belong to the son object. The returned request would be sent to the directory, which

would handle the returned request. Therefore, the rejection is maintained.

Applicant argues (7), "the cited reference Fiszman et al., Nortel Networks, 6,115,646

(Hereinafter Fiszman-Nortel) fails to teach or suggest the central directory contains at least

information relating each root object of each process". The examiner respectfully disagrees in

response to applicant's arguments. The limitations, "the central directory contains at least

information relating each root object of each process", are rejected by combined teachings of

Menzies-Microsoft and Fiszman-Nortel. In response to applicant's arguments against the

references individually, one cannot show nonobviousness by attacking references individually

where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413,

208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986). Menzies-Microsoft discloses identifying a central directory (e.g., at several places, col.,

3, lines 27 – 35, col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of repository of figure 3,

usage of registry and/or directory and/or repository of figure 4, col., 6, lines 31 – 34, col., 7, lines

54 – 59, col., 10, lines 27 - 30). Fiszman-Nortel teaches the well-known concept of directory

containing information relating to each root object of each process and a manager of a CORBA

type (e.g., col., 6, lines 11 – 64, figure 17). Hence, the combined teachings of the cited arts

disclose the claimed limitations, "the central directory contains at least information relating each

root object of each process". Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the

claims define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970). Since, applicant's claims

contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the

claimed subject matter. Therefore, the rejection is maintained.

Priority

3.   Applicant was requested (previous office actions dated, 5/10/2004 and 11/20/2003) to

submit the translated priority document in English for the foreign priority document (i.e.,

claimed priority, France 99 04 0472 04/01/1999) for verification, in order to benefit the effective

date as 04/01/1999. However, examiner has still not received the English translated foreign

priority document. Examiner has not applied prior arts for the rejection (dated between the

claimed France priority date 04/01/1999 and the effective date, 3/30/2000 of this application).

Applicant is requested to respond/submit the English translated foreign priority document, which

would help the examiner to know whether to apply the above-mentioned prior arts dated between

4/01/1999 and 3/30/2000.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

4.   Amended claims 1, 7, 8 and 9 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

Claims 1, 7, 8 and 9 are attempting to implement a method of implementing a tree of

distributed objects in different processes, however the implemented method (steps) do not

transform physical subject matter (tangible or intangible) to a different state or thing (note: part

of previous office action, dated 3/31/2005).

Drawings

5.   New corrected drawings are required in this application because Figure 2 does not show

amended limitations, "computer readable recording medium storing a program for performing a

method". Applicant is advised to employ the services of a competent patent draftsperson outside

the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. A

proposed drawing correction or corrected drawings are required in reply to the Office action to

avoid abandonment of the application. The amended replacement drawing sheet should include

all of the figures appearing on the immediate prior version of the sheet, even if only one figure is

being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page

header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the

examiner does not accept the changes, the applicant will be notified and informed of any

required corrective action in the next Office action. The objection to the drawings will not be

held in abeyance.

Response to Amendment

6.   The amendment filed 6/29/2005 is objected to under 35 U.S.C. 132 because it introduces

new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new

matter into the disclosure of the invention. The added material which is not supported by the

original disclosure is as follows:

     a.   addition of limitations, "computer readable recording medium storing a program

     for performing a method", in claim 1.

     Applicant is required to cancel the new matter, to avoid abandonment of this application,

in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

7.   Amended claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter, which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant art to use and/or make the invention.

8.   The specification does not contain subject matter to implement limitations, "computer readable <u>recording</u> medium <u>storing</u> a <u>program</u> for <u>performing</u> a method", as cited in claim 1.

Examiner has reviewed the specification (OCR whole document) and could not find support for the additional limitations as claimed.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

9.   Amended claims 1, 4, 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations, "<u>another</u> at least one of <u>said</u> each of one or more son objects". There is insufficient antecedent basis for this limitation in the claim. Since, the method steps, "for each one <u>or</u> more son objects" exist in the claim, it is clear that the claimed invention has the method steps, "for one son object (single)". Hence, another son object of "one son object (single)" is not possible. Another son object is possible only if at least two son objects are referred by the limitations in the claim.

Claim 4 recites the limitations, "<u>the</u> processes". There is insufficient antecedent basis for this limitation in the claim. Since, multiple processes (distributed objects in different <u>processes</u>, redundancy of <u>processes</u>) exist in the claim, it is not clear which processes is referred by the limitations in the claim.

Claim 5 recites the limitations, "the process". There is insufficient antecedent basis for

this limitation in the claim. Since, multiple process (distributed objects in different processes,

redundancy of processes, father object in a process, a same process) exist in the claim, it is not

clear which processes is referred by the limitations in the claim.

Claim 6 recites the limitations, "said at least one of said one or more objects". There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11.   Amended claims 1-3, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by

Menzies et al., 6,317,748, Microsoft (Hereinafter Menzies-Microsoft).

12.   As per claim 1, Menzies-Microsoft teaches a computer readable recording medium (e.g.,

figure 1) storing a program for performing a method of implementing a tree (e.g., col., 15, lines

36 – 64, figure 8) of distributed objects (e.g., col., 6, lines 1 – 18) in different processes (e.g.,

col., 5, lines 28 – 59), wherein a central directory (e.g., at several places, col., 3, lines 27 – 35,

col., 4, lines 51 – 64, col., 1, lines 15 – 25, also usage of repository of figure 3, usage of registry

and/or directory and/or repository of figure 4, col., 6, lines 31 – 34, col., 7, lines 54 – 59, col., 10,

lines 27 - 30) is adapted to store information on objects (e.g., col., 10, lines 9 – 34) in a data

structure (e.g., col., 10, lines27 – 57) at a root of the tree (e.g., col., 10, lines 15 – 35) the method

comprising:

assigning to a father object (e.g., col., 15, lines 36 – 54) in a process (e.g., col., 15, lines

36 – 54), for each of <u>one</u> son object (e.g. col., 16, lines 4 – 36):

information (e.g., col., 13, lines 48 – 64) corresponding to a physical address (e.g., col.,

14, lines 33 – 54) if said one son object <u>is</u> contained in a same process (e.g., col., 15, lines 36 –

54).

13.   As per claim 2, Menzies-Microsoft also teaches wherein if the central directory receives a

request (e.g., col., 5, lines 28 – 54) <u>for</u> access to a first object identified by a logical name (e.g.,

col., 10, lines 14 – 58, col., 15, lines 2 - 24) identifying a logical access path (e.g., col., 5, lines

28 – 54) of said first object from the central directory (e.g., col., 9, lines 26 – 44), the central

directory searches its data structure for a logical name received (e.g., col., 10, lines 38 – 67) in

order to send the request directly to said first object (e.g., col., 15, lines 8 – 29).

14.   As per claim 3, Menzies-Microsoft also teaches wherein said father object which receives

said request sends the request to said first object if returns a message to the central directory

(e.g., figure 8, col., 17, lines 4 – 35).

15.   As per claim 9, Menzies-Microsoft also teaches wherein the method applies to a

distributed object environment based on a manager of a DCOM type (e.g., col., 5, line 62 – col.,

6, line 29).

Claim Rejections - 35 USC § 103

16.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

17.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menzies-Microsoft

in view of Skog et al., Ericsson, 6,385,650 (Hereinafter Skog-Ericsson).

18.   As per claim 4, Menzies-Microsoft teaches the claimed limitations rejected as discloses

above. However, Menzies-Microsoft does not specifically mention about managing redundancy

of processes by selecting one of the processes relating to a requested object.

       Skog-Ericsson teaches the well-known concept of managing redundancy of processes by

selecting one of the processes relating to a requested object (e.g., figure 6, col., 3, line 40 – col.,

4, line 23).

       It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Menzies-Microsoft with the teachings of Skog-Ericsson in

order to facilitate managing redundancy of processes by selecting one of the processes relating to

a requested object because the selected process would enhance handling the requested object.

The software would help utilize the selected process in order to support the requested object

using the central directory.

19.   Claims 5 and 6, are rejected under 35 U.S.C. 103(a) as being unpatentable over Menzies-

Microsoft in view of Collins et al., 6,687,761, Invensys Systems (Hereinafter Collins-Invensys)

and "Official Notice".

20.   As per claims 5 and 6, Menzies-Microsoft teaches the claimed limitations as rejected

above. Menzies-Microsoft also teaches wherein the son object (e.g. col., 16, lines 4 – 36) is

identified in said request by a logical name (e.g., col., 10, lines 14 – 58, col., 15, lines 2 - 24)

defining a first logical access path (e.g., col., 5, lines 28 – 54) of said object from father object

(e.g., col., 15, lines 36 – 54) wherein said father object returns said request to the central

directory with a first character string of said logical name preceded by a second character string

(e.g., col., 10, lines 14 – 58, col., 15, lines 2 - 24) corresponding to a logical name of said father

object defining a second logical access path from the central directory (e.g., col., 5, lines 28 – 54,

col., 9, lines 26 – 44).

However, Menzies-Microsoft does not specifically mention about if the father object of a

the process receives a request relating to the son object directly, said father object returns that

request to the directory.

Collins-Invensys teaches the well-known concept of if the father object of the process

receives a request relating to the son object directly, said father object returns that request to the

directory (e.g., col., 9, lines 18 – 38, col., 17, line 52 – col., 18, line 15, figures 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Menzies-Microsoft with the teachings of Collins-Invensys

in order to facilitate if the father object of the process receives a request relating to the son object

directly, said father object returns that request to the directory because the father object would

return the request which it does not belong to the son object. The returned request would be sent

to the directory, which would handle the returned request.

Menzies-Microsoft and Collins-Invensys do not specifically mention about whether the

son object is contained or not in the process of the father object. "Official Notice" is taken that

both the concept and advantages of providing whether the son object is contained or not in the

process of the father object is well known and expected in the art. For example, Hudis et al.,

6,862,736, discloses these limitations, e.g., paragraphs 9 and 24.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to include whether the son object is contained or not in the process of the father object

with the teachings of Menzies-Microsoft and Collins-Invensys in order to determining whether

son object is contained or not in the process of the father object because the determination would

inform the software about the inheritance related information. The software would process the

information according to the determination.

21.   Claims 7 and 8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Menzies-

Microsoft in view of Fiszman et al., Nortel Networks, 6,115,646 (Hereinafter Fiszman-Nortel).

22.   As per claims 7 and 8, Fiszman-Nortel teaches the claimed limitations rejected under

claim 1.   However, Menzies-Microsoft does not specifically mention about directory containing

information relating to each root object of each process and a manager of a CORBA type.

        Fiszman-Nortel teaches the well-known concept of directory containing information

relating to each root object of each process and a manager of a CORBA type (e.g., col., 6, lines

11 – 64, figure 17).

        It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Menzies-Microsoft with the teachings of Fiszman-Nortel

in order to facilitate directory containing information relating to each root object of each process

and a manager of the CORBA type because the directory would help handle each root object.

The software would help utilize each process to handle each root object. The manager of the

CORBA type would help utilize several different resources by the software.

                                        Conclusion

23.   The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and

not relied upon is considered pertinent to applicant's disclosure.

        The applicant specifies the invention of the application, i.e., the summary of the

invention, "The invention uses a central directory <u>which contains</u> tree information on only

certain targeted objects, and so <u>all the objects of a process</u> can be accessed. A father object

receives a <u>location request</u> in respect of a son object. The tree of <u>processes is managed by</u> the

central directory. Providing access to objects of son processes <u>even if a father process is</u>

<u>stopped</u>", page 3, line 26 – page 4, line 8, seems. However, the claimed subject matter of the

claims is very broad and not limited to this. Also, a data structure is not part of a central

directory and the central directory not containing information on objects. A father object is in a

process <u>different</u> than of a process in which a son object is contained (see claim 1).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to
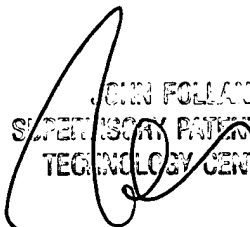
8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

September 12, 2005